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13 Attorneys for Plaintiff and the Class

14 **UNITED STATES DISTRICT COURT**
15 **NORTHERN DISTRICT OF CALIFORNIA**

16 **CLAIRE C. HAGGARTY**, individually
17 and on behalf of all others similarly situated,

18 Plaintiff,
19 vs.

20 **STRYKER ORTHOPAEDICS (aka**
21 **STRYKER ORTHOPEDICS; aka**
22 **STRYKER ORTHOPEDICS, INC.);**
23 **HOWMEDICA OSTEONICS**
CORPORATION; STRYKER
24 **CORPORATION; and STRYKER SALES**
CORPORATION,

25 Defendants.

26 Case No. CV-08-01609 JSW

27
28 **STIPULATION AND ~~PROPOSED~~**
ORDER FOR MODIFICATION OF
CASE MANAGEMENT ORDER

1 WHEREAS, on December 21, 2008, the parties filed a Joint Case Management
2 Statement and Proposed Case Management Order.

3 WHEREAS, the parties filed the Joint Case Management Statement and Proposed
4 Case Management Order based on the filing of the original Complaint filed in the matter.

5 WHEREAS, on January 7, 2009, the Court entered an Order which stated in part:
6 "The case management (*sic*) set to follow the hearing is VACATED and shall be reset, if
7 necessary, by further order."

8 WHEREAS, on January 7, 2009, the Court granted Defendant's motion to dismiss
9 Plaintiff's complaint, with leave to amend the complaint.

10 WHEREAS, on February 6, 2009, Plaintiff filed an amended complaint.

11 WHEREAS, on February 26, 2009, Defendants filed a motion to dismiss, with the
12 motion currently set for May 1, 2009.

13 WHEREAS, beginning on March 11, 2009, the parties have been working together
14 to modify the submitted Joint Case Management And Proposed Case Management Order
15 in the event the filed motion to dismiss is denied.

16 WHEREAS, on March 12, 2009, the Court signed a Joint Case Management And
17 Proposed Case Management Order.

18 WHEREAS, pursuant to the Joint Case Management And Proposed Case
19 Management Order set the filing deadline for class certification briefing for March 13,
20 2009.

21 WHEREAS, based on the Court's vacating of the case management hearing, the
22 parties have not conducted any class certification discovery to date.

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Counsel report that they have met and conferred regarding the Case Management Order and have reached the following stipulation pursuant to Civil L.R. 16-8:

The parties agree to following modified schedule

April 13, 2009 Fed. R. Civ. P. 26(a) Disclosures:

April 13, 2009 Last date to Amended Pleadings:

October 16, 2009 at 9:00 a.m. Last day to hear motion for class certification

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January 29, 2010 Last date to file plaintiffs' expert reports

May 14, 2010 Last day to hear dispositive motions

1 June 28, 2010
2
3 ~~July 12, 2010~~
4 July 19, 2010 at 8:00 a.m.
5 '

Pretrial Conference

Trial

6 Dated: March 13, 2009

COTCHETT, PITRE & McCARTHY

7 By /S/
8 ARA JABAGCHOURIAN
9 *Attorneys for Plaintiff Claire C. Haggarty and*
10 *the Class*

12 Dated: March 13, 2009

KASOWITZ, BENSON, TORRES &
FRIEDMAN LLP.

14 By /S/
15 WILLIAM M. GOODMAN
16 *Attorneys for Defendants*

17 PURSUANT TO STIPULATION, IT IS SO ORDERED

19 Dated: March 16, 2009


The Honorable Jeffrey S. White